



# Response to the Indigenous Voice Co-Design Process - Interim Report to the Australian Government

10 April 2021

## Acknowledgement of Country

The St Vincent de Paul Society NSW acknowledges Aboriginal and Torres Strait Islander peoples as the Traditional Custodians of the land on which we live and work, with deep respect. May Elders, past and present, be blessed and honoured. May we join together and build a future based on compassion, justice, hope, faith, and reconciliation.

## The St Vincent de Paul Society

The St Vincent de Paul Society (the Society) has worked in NSW for more than 130 years, providing assistance to people experiencing poverty and disadvantage. We seek to shape a more just and compassionate society by working to address the causes of poverty and injustice.

As a major provider of services to people experiencing disadvantage, the St Vincent de Paul Society offers 115 services across NSW. These include accommodation, supported accommodation and drop-in services for people experiencing or at risk of homelessness; services to people with complex mental health diagnoses and/or complex behavioural support needs; to people experiencing problematic alcohol or other drug use; to people with disability; and to young people at risk of exclusion.

Our extensive network of member volunteers also provides immediate care and assistance to people in their communities across the State. This includes financial and material support – food parcels or vouchers, assistance paying energy and other bills, no-interest loans, clothing, household items and furniture, assistance accessing supports and services, and companionship.

## Introduction

The St Vincent de Paul Society welcomes this opportunity to respond to the Interim Report to the Australian Government on the Indigenous Voice Co-Design Process (October 2020).

As supporters of the *Uluru Statement from the Heart*, we value efforts towards establishing an Indigenous Voice, and the Australia Government's acceptance of the importance of such a Voice.

As clearly articulated in the Uluru Statement, however, we believe it is critically important that an Indigenous Voice is enshrined in the Constitution. We recognise that the terms of reference for the co-design process specifically excluded recommendations about constitutional recognition. However, we hope the Government will now build on the work done by the co-design groups, through the Uluru Dialogues, and by so many individuals, groups and committees, and honour its election commitment to a referendum.

## A Voice to Parliament

The need to ensure the voices of Aboriginal and Torres Strait Islander peoples are heard in decision-making processes about the laws and policies that affect them is now well-documented and well-recognised.

In the work of the St Vincent de Paul Society NSW, we see the ongoing impact of colonisation, dispossession and inter-generational trauma on First Nations people every day. Our members deliver care and support to approximately 60,000 people across NSW in any given year. Of these people, more than one in five identify as being of Aboriginal or Torres Strait Islander origin. Our homelessness services support over 6,000 people per year, approximately one fifth of whom are First Nations people. Aboriginal and Torres Strait Islander people are similarly over-represented amongst the people supported by our disability and community inclusion services and by our alcohol and other drug services.

Our statistics reflect the disadvantage experienced by First Nations people across Australia. First Nations people are more likely than other people in Australia to be living with disability<sup>1</sup> (but less likely to access services)<sup>2</sup>, more likely to experience harmful substance use and mental health issues,<sup>3,4</sup> and ten times more likely to experience homelessness<sup>5</sup>.

Our Reconciliation Action Plan pledges to deliver actions aimed at closing these, and related, social and economic gaps between First Nations people and non-Indigenous Australians. However, we recognise that this can only be achieved if Aboriginal and Torres Strait Islander people are afforded the opportunity to be meaningfully involved in decisions that impact their lives at every level – including nationally.

A Voice to Parliament would commit Parliament to hearing the views of Aboriginal and Torres Strait Islander people before legislating and making decisions that affect them. This would improve Parliament's capacity to perform its functions effectively and to develop laws and policies that improve the lives of Aboriginal and Torres Strait Islander people and hasten efforts towards substantive equality. A Voice would also benefit all Australians; as it would be an important mechanism towards enabling everyone in

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<sup>1</sup> AIHW (2020) *Indigenous health and wellbeing*

<sup>2</sup> Centre for Health Policy, University of Melbourne (2019) *Understanding disability through the lens of Aboriginal and Torres Strait Islander people – challenges and opportunities*.

<sup>3</sup> Australian Indigenous Health Bulletin (2018) *Review of the harmful use of alcohol among Aboriginal and Torres Strait Islander people*

<sup>4</sup> Australian Indigenous Health Bulletin (2016) *Review of illicit drug use among Aboriginal and Torres Strait Islander people*

<sup>5</sup> AIHW (2019) *Aboriginal and Torres Strait Islander people: a focus report on housing and homelessness*.

our country to better learn from and celebrate the rich and diverse cultures and knowledges of Australia's First Nations people.

### **The importance of enshrining the Voice in our Constitution**

The importance of a Voice to Parliament is such that it should be enshrined in our Constitution, protecting its existence and core function. More detailed design should be set out in legislation once the Constitution has been amended.

The Constitution of Australia is currently silent on the presence of Aboriginal and Torres Strait Islander people prior to colonisation. There have been many calls, over many years, for this to be rectified. The Constitution is an important cultural document that should reflect the identity, values, cultures and aspirations of the Australian people. With a growing majority of Australians describing the relationship between Indigenous and non-Indigenous Australia as very important for Australia as a nation<sup>6</sup>, now is the time to rectify this serious and concerning exclusion.

While various forms of constitutional recognition have been proposed, a Voice to Parliament is the only form of recognition collectively endorsed by Aboriginal and Torres Strait Islander people, through the extensive deliberative process that culminated in the Uluru Statement from the Heart. It is also supported by the majority of Australians.<sup>7</sup>

Constitutional enshrinement of a Voice to Parliament would also improve its capacity to operate effectively – conferring on it the legitimacy that would come with the endorsement of the Australian people voting at a referendum and offering stability and certainty that cannot be guaranteed through legislation alone.

### **What the Voice should look like**

The focus of our submission is on the important matter of principle that a Voice to Parliament be constitutionally enshrined. As the detailed design work progresses, however, we support the call made by the leaders of the Uluru Dialogues to ensure the membership model for the National Voice gives previously unheard Aboriginal and Torres Strait Islander people the same chance of being selected as established leadership figures. To achieve this, it will be important to ensure a diversity of voices are brought to the table, including people of different ages, genders, life experiences, and cultural backgrounds. A Voice to Parliament will be all the richer for ensuring it is properly reflective of the diversity that exists within Aboriginal and Torres Strait Islander communities.

## **Conclusion**

Thank you for this opportunity to respond to the Interim Report to the Australian Government on Indigenous Voice Co-Design Process (October 2020). We look forward to seeing this work progress, and will continue to lend our support to efforts to achieve the historic change that enshrining in the Constitution a First Nations Voice to Parliament would represent. This is a critical step on the road towards a future we hope to achieve, walking together with our Aboriginal and Torres Strait Islanders brothers and sisters; a future based on compassion, justice, hope, faith and reconciliation.

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<sup>6</sup> Reconciliation Australia (2020) *Australian Reconciliation Barometer 2020*.

<sup>7</sup> Markham, F. & Sanders, W. (2020), *Support for a constitutionally enshrined First Nations Voice to Parliament: Evidence from opinion research since 2017*, Working Paper no. 138/2020, Centre for Aboriginal Economic Policy Research, Australian National University, Canberra.